

1 | probably have more of an influence on what happens to that  
2 | young person as opposed to what television does? And I'm  
3 | sorry, Dr. Watts?

4 |           DR. WATTS: If you seek specific percentages to  
5 | prove a search, individuals are influenced differently by  
6 | different stimuli. That's the very nature of origin. It's  
7 | obvious, however, that television does influence everyone  
8 | besides kids.

9 |           COMMISSIONER BARRETT: If you, if you as an educator  
10 | -- and, Miss Ellerbee, I'm sorry, the Chairman did say you  
11 | didn't have no way to enforce it so it would just be one more.

12 |           MS. ELLERBEE: The Chairman knew why.

13 |           COMMISSIONER BARRETT: Have you seen any studies or  
14 | any data that suggests or if you had to break it down into  
15 | percentages which would have the most impact on?

16 |           DR. WATTS: No. I think that's a fruitless search  
17 | to try to find that.

18 |           DR. BARRETT: Okay. Thank you very much. And this  
19 | is an excellent -- I did not want you to think I was insulting  
20 | you but I had been watching you on, on television. Thank you.  
21 | Is my time over? No, you didn't. As a matter of fact, you  
22 | looked worse. Personally, I think you showed that -- you said  
23 | something about Dallas. Thank you.

24 |           MS. ELLERBEE: Commissioner Ness?

25 |           COMMISSIONER NESS: Thank you. Mr. Turnipseed, my

1 two kids that do watch Ghostwriter, and I know they would be  
2 very jealous to know that I'm here talking to you and -- could  
3 you tell me -- description of the kinds of programming that  
4 you would like to see television. Can you tell me if there  
5 are programs on the air that meet those expectations for you?

6 MR. TURNIPSEED: Okay. Well, I was -- I will -- pat  
7 my shoulder -- I would say that Ghostwriter -- I do watch  
8 Carmen Sandiego.

9 COMMISSIONER NESS: Your salary goes up.

10 MR. TURNIPSEED: I think that's -- I think it's a  
11 good show. I wake up on Saturday mornings, you know, and get  
12 my bowl of cereal and I do find the show informative and  
13 entertaining at the same time. What I like about that show is  
14 that also -- in terms of the -- in terms of the education, you  
15 know, that it puts forth. It's not trying to sit you down  
16 and, you know, push back on you as saying, okay, we're now  
17 going to learn this today. This is something that -- this is  
18 information -- with intrigue. The detectives, they go around,  
19 you know, to solve mysteries. They have to have certain  
20 knowledge. And, you know, this is very interesting to a kid.  
21 And I think the same way that they like that show is the same  
22 -- is the same reason that they like Ghostwriter, the fact  
23 that they see, you know, they see more aspects, the fact that  
24 they see not only certain information that's given to them but  
25 how it is applied in life situations, you know. Even, even

1 | though it may be -- might not be the detectives driving around  
2 | the world but, nevertheless, it is intriguing.

3 |           One other point I would like to make is that kids  
4 | you will find in many cases actually do have concerns of what  
5 | -- things that they want to see on T.V., things they want to  
6 | see addressed. I know this because lately I did something  
7 | outside Ghostwriter in which a survey was involved where we  
8 | went around the country and we asked kids what are the most  
9 | important things in the world today. They talked about the  
10 | safety and cleanliness of the communities. They did talk  
11 | about school. They did talk about homelessness. They talked  
12 | about strays. Basically I'm saying that kids, they, they are  
13 | very open to information, a lot more than maybe we might give  
14 | them credit for. They see things on the news, as was stated.  
15 | They see things in their neighborhoods and they actually do  
16 | have concerns so to make an effective program for kids, you  
17 | would definitely want to encourage research that would get a  
18 | -- they'll get a good perspective of what kids want to see on  
19 | television. I think you will find the results to be very  
20 | fruitful.

21 |           COMMISSIONER NESS: Thank you. I think there are a  
22 | lot of people here nodding in agreement with you on that  
23 | score.

24 |           Mr. Werner, you have one of the more successful  
25 | programs certainly for children with educational -- it's shown

1 on both public and commercial television. What kind of  
2 advertising budget -- what do you need to do to really make  
3 your program available to -- missed that because there's --  
4 one always talks about if the tree falls in a forest and  
5 there's no one around, you know, is there any noise? What  
6 happens if you have a program that's wonderful but nobody  
7 knows about it?

8 MR. WERNER: Well, it's an interesting issue. First  
9 of all, the PBS -- does not kick in until this fall.  
10 Presently the program -- syndicated. It appears once a week  
11 in syndication generally on the weekends.

12 One of the interesting issues that I think you  
13 should ultimately be speaking about outreach, of getting  
14 people aware of the program and when it comes and getting  
15 teachers aware of it and getting kids aware of it. It's a  
16 very, very daunting challenge not only from the producer's  
17 point of view but from the television stage's point of view to  
18 be able to finance it.

19 One of the reasons that this unique field came about  
20 was because we're able to -- we needed the market of financial  
21 resources, not only the Walt Disney Company but the National  
22 Finance Foundation. LIN Broadcasting invested a million  
23 dollars as well as producing it in an incredibly efficient  
24 fashion in Seattle the public broadcasting station, SKTPS. In  
25 fact, if you put that all together, the television program

1 | itself cost \$120,000 a half hour. And no matter how  
2 | successful it is today, we project at the end of 3 years,  
3 | taking into account the PBS life which is actually worth \$2  
4 | million and all this other stuff, it will either break even on  
5 | a cash basis, taking all your expenses, take off other --  
6 | break even or maybe make some money. The only hope that we  
7 | have in terms of generating this and making this a profit  
8 | making venture will be if there is a market in the -- home  
9 | video. But as we stand now from a broadcast television point  
10 | of view, it's a losing proposition.

11 |           COMMISSIONER NESS: Is that not also true with  
12 | regular sitcoms that they -- in the first run they don't  
13 | necessarily make money but they do inb syndication.

14 |           MR. WERNER: No, that's not true at all. We are one  
15 | of the largest producers of children's animated programming  
16 | and it is incredibly -- it is very profitable to the Walt  
17 | Disney Company to produce children's animated programming. We  
18 | make money --

19 |           COMMISSIONER NESS: But not sitcoms?

20 |           MR. WERNER: That's a totally different business.

21 |           COMMISSIONER NESS: Right.

22 |           MR. WERNER: There -- it's on a network basis. For  
23 | instance, you don't see sitcoms produced for first run  
24 | syndication, wasn't produced by network. It's a different  
25 | economic equation totally.

1           MR. NYE: Bear in mind that no everywhere in the  
2 country do we have such an unfavorable time slot -- about 6  
3 million viewers a week. So, not everywhere is it 6:30 Sunday  
4 morning.

5           MR. WERNER: But even from a rating point of view,  
6 the rating is a 1.5 rating. It's -- we were a 11 which is a  
7 very high rating for this -- for a children's educational  
8 program but if you compare it to the type of primary  
9 children's programming such as -- animated programming is  
10 three, four, five times that.

11           MS. ELLERBEE: Thank you. Commissioner Chong?

12           COMMISSIONER CHONG: Thank you, Linda. I want to  
13 address this question to Mr. Steyer, Miss Belter and Dr.  
14 Watts.

15           As you know, we proposed a definition that would  
16 include a requirement that educational children's programming  
17 have as its primary purpose informing and education. What do  
18 you think of Disney's proposal that education be a significant  
19 purpose of the programming? Do you think this would be  
20 adequate to provide enough educational and information  
21 programs that would meet your concerns or do you fear that the  
22 programmers and broadcasters would focus on entertainment type  
23 programs like cartoons?

24           MR. STEYER: I think that, that it's a dangerous  
25 standard to use significant -- I think you should take primary

1 -- I go back to what Bill said earlier as a teacher. It's not  
2 a teacher. And if you want to keep kids interested, then  
3 obviously your, your goal as a teacher is the primary  
4 educational purpose. You've got to have the -- you've got to  
5 keep them interested, you've got to entertain them, you've got  
6 to do the other things. I think if you do not send a very  
7 clear message that education has to be the primary purpose,  
8 we're going to be in the same situation where we are today,  
9 where we have a few good shows but not nearly enough and where  
10 we have a lot of people trying to qualify the Jetsons and GI  
11 Joe or whatever. I think you have to send a very clear  
12 message by doing it. And I think it's -- if you can do  
13 without running into First Amendment problems but I think the,  
14 the reverse will, will set up a very unfortunate dynamic in  
15 which we'll continue to see basically the status quo. And by  
16 sending the message of primary educational purpose, if they  
17 have the creativity and all of the talent that's related at  
18 this hearing here today and they will take it and make it  
19 entertainment and entertaining and the marketplace will  
20 determine which are the best educational shows. So, I think  
21 you have to be very clear about that primary educational  
22 purpose.

23 COMMISSIONER CHONG: Do you share with his views?

24 MS. BELTER: Yeah. I, I think that the primary is,  
25 is critical and I also think that it -- it's not asking too

1 much because when we presented this a little while ago, I was  
2 talking about asking for 1 hour of a day or 7 hours a week of  
3 educational and in the context of the amount of material  
4 that's out there now in the shows so -- not asking for a lot.  
5 And it does have to be the type of programs that the kids are  
6 going to be attracted to. We're in a -- in an era where the,  
7 the kids see and they're visually impressed by -- these  
8 programs. That's why Bill's program is a dynamite one for  
9 young people because it's fast, it captures their attention.  
10 And that's what they like. And I think we have to do more --  
11 we say an hour a day or 7 hours a week but I would like to see  
12 us eventually doing more and more of that. We're getting away  
13 from some of the other programming because the kids turn on in  
14 the morning what's there. I don't even know if they all like  
15 it but it's something to watch and they see these little  
16 things going across the, the screen. And I know that we  
17 talked about parental responsibilities here but in all  
18 honesty, parents cannot be in front of that T.V. with the  
19 children at all times of the day, especially if they're not  
20 even in their home sometimes. And we have to be realistic  
21 about it. And that's why I think what we're -- is we have to  
22 work in concert together to get to the point that we feel that  
23 we're doing the best we can for our children in this type of  
24 arena and it's really critical because we deny children, you  
25 know, every day.



1 COMMISSIONER CHONG: Dr. Watts?

2 DR. WATTS: In the current environment I'm  
3 supportive of that, of that distinction but I personally have  
4 some problems with the distinction because it raises the issue  
5 of is it educational or is it entertainment and that should be  
6 both. The issue is, according to the public interest  
7 obligation, you shall have educational programming and what  
8 you should do is define educational programming. You'd rather  
9 say -- rather than leave it undefined and then say you must  
10 have primary interest in selling and a minor interest in  
11 other. I think it's more important to say this is an  
12 educational program -- programming. That this is all in  
13 reaction to the Jetsons. It's not educational. And the issue  
14 is it is not educational, not because you designated it as  
15 entertainment because it does not meet definitionally what  
16 quality educational programming is.

17 COMMISSIONER CHONG: How do you answer the  
18 suggestion of Mr. Nye that unless you entertain the children,  
19 they're not going to want to see the program?

20 DR. WATTS: I think, I think you have to combine  
21 entertainment. We produce a weekly 30 minute cable television  
22 program for teachers and we put entertainment into that  
23 because we felt that emotion and heart and entertainment was a  
24 part of that, of that production effort. It is not either/or  
25 but it can be both and it needs to be educational. And it's

1 -- many of them be passed off as educational and meeting the  
2 requirements are not educational.

3 MR. WERNER: Let me stop because I'd like to -- our  
4 point in making this particular suggestion is that there has  
5 been a small -- saying that you can't be -- if you're going to  
6 be educational, you cannot be entertaining. And if you say  
7 that somebody's going to be a primary, well, there can't be  
8 two primary purposes which is why we came up with the  
9 significant purpose study. But if you ask Bill, as I will do  
10 now, whether his program is primarily entertaining, the answer  
11 is, yeah, sure, it has to be primarily entertaining. If you  
12 think back about your favorite teacher, your favorite class,  
13 you, you were interested in what was going on. If something  
14 is interesting, then you're entertained. And if you learn  
15 something and you're interested in it, that's, that's how you  
16 learn. You probably won't pick it up if you don't find it  
17 interesting.

18 And one further point because I am the person  
19 actually that's given you -- who they would ask in terms of  
20 the direction of whether it was -- or not and, unfortunately,  
21 I have to tell you that it was before this rule making because  
22 of my discussions with the creator that I understand where  
23 this probably came from, we would -- this test.

24 COMMISSIONER CHONG: Thank you.

25 CHAIRMAN HUNDT: -- 5 minutes after I point out that

1 I don't think understanding and entertaining is the same  
2 thing. So, I'm not sure which question you were answering  
3 because those two issues mean the same thing. And that's not  
4 a question. Linda, why don't you take 5 minutes?

5 MS. ELLERBEE: All right. I will be brief because I  
6 -- we, we -- I've been asked to, to try to get us back where  
7 we're supposed to be. But I would like to ask Mr. Britt on  
8 this, on this subject. As long as it's educational, why  
9 should we care whether it's the primary purpose or the  
10 secondary purpose?

11 MR. BRITT: Well, I think that, again, I think that  
12 the, the purpose, the underlying objective of what you're  
13 doing has to be central to where you start from. I mean if  
14 it's not education, if it is entertainment, there can be stuff  
15 around the edges that is helpful but it's not going to be a  
16 concern of what, of what the purpose of the program may have.  
17 I think we get caught up over and over and over again in this  
18 study -- that if the goal is educational, it cannot be  
19 entertaining. And it's just on the record --. And with all  
20 due respect to, to my colleagues who are with the  
21 organization, I think anybody in this room and any child in  
22 America knows that Bill Nye, the Science Guy -- program.  
23 Anybody who watches it knows that Ghostwriter is an  
24 educational program. Yes, it's compelling. Yes, it's  
25 interesting. Yes, it's entertaining. It's all of those

1 things. And I, and I think if you don't start with the  
2 central purpose of education, the likelihood of losing your  
3 way is almost --

4 MS. ELLERBEE: I have another question for you on  
5 the issue you suggested that there be consultants, which is  
6 easier for the networks, but what about the stations? How  
7 would you -- how would you enforce it?

8 MR. BRITT: Well, we find in our own work that very  
9 frequently local elementary school teachers, local community  
10 college professors, local psychologists and child development  
11 specialists would be very happy which is very effective to  
12 work with local broadcasters on developing programs. In fact,  
13 as I understand this, it's now being done by a lot of local  
14 broadcasters. This does not have to be a very expensive and  
15 elaborate process. It can be done largely out of the interest  
16 and, and excitement for people who have been working with the  
17 medias.

18 MS. ELLERBEE: Miss Loesch, I'm going to ask you a  
19 question as sort of a representative of networks here. How  
20 would you view a requirement that broadcasters identify an  
21 educational program as such, both at the time it's aired right  
22 on the screen and in the program listings?

23 MS. LOESCH: Well, I think the program listings is  
24 probably confined to parents. Children don't look at program  
25 listings. And I suspect that if you put anything on the air

1 that signify school and homes, the children are going to turn  
2 off the set, watch, watch another program.

3 I also just would like to add that I find it  
4 interesting listening to all my colleagues. I just want to  
5 point out that under the current guidelines that this  
6 Commission has set we have developed broadcast programs that  
7 are excellent such as Sesame Street and Bill Nye and Carmen  
8 Sandiego and -- Driver. And I think that those of us in  
9 broadcasting improving our stations are very clear on what is  
10 educational and what isn't.

11 I also want to point out that the stations that  
12 utilize the Jetson as a -- program were very few. There were  
13 only a couple of rotten apples. And they were. It's  
14 preposterous that they used that. But I think the vast  
15 majority of us clearly know what is educational. And we  
16 utilize, actually using the definition or the significant  
17 purpose of when we were developing Carmen Sandiego. So, we,  
18 we find the current definition very compelling.

19 MS. ELLERBEE: Dr. Watts, how -- who would determine  
20 whether a program is -- developmentally appropriate? Would  
21 that be the FCC? Would you prefer the FCC do that?

22 DR. WATTS: No, I would suggest that the producers  
23 -- second the recommendations of Mr. Britt that you do have to  
24 have educational advisors for this. Where do they come from?  
25 I could produce a set of teachers in any community in the

1 United States within a week if any local station would like  
2 some.

3 MS. ELLERBEE: All right. Well, I don't -- back on  
4 schedule. We will be back after a, after a -- 15 minute break  
5 but perhaps even closer to 10.

6 CHAIRMAN HUNDT: Thanks to all this panel. It was a  
7 very interesting presentation.

8 (End of Panel 1.)  
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1 PANEL 2

2 MS. ELLERBEE: Panel 2 is, as you know, How Much Is  
3 Enough?" Our first panelist is Dr. Dale Kunkel, Department of  
4 Communications, University of California, Santa Barbara, on  
5 behalf of the American Psychological Association.

6 DR. KUNKEL: Good morning.

7 MS. ELLERBEE: Just one moment -- oh, you got the  
8 door shut. I would also like to just say one other things.  
9 For when we get to the open questioning part, those in the  
10 audience who have questions for these people, get them to  
11 someone and get them to me and I will be happy to ask them.  
12 I'm sorry, go ahead.

13 DR. KUNKEL: Good morning. My name is Dale Kunkel.  
14 I've worked on children's television research and policy for  
15 the last 10 years roughly. I've been very involved with the  
16 Congress in drafting the Children's Television Act. In fact,  
17 the first consideration of that legislation which was  
18 introduced in 1985 by then Congressman Timothy Worth  
19 (Phonetic) known as the Children's Television Education Act  
20 was pulled together in a subcommittee that I worked on 1985,  
21 the Congressional Science fellows. The theme of my remarks  
22 today might be characterized as an effort to try to get the  
23 Commission to learn from the past. It has quite an extensive  
24 past in --.

25 I'd like to open by quoting a former Chair of this

1 Commission in 1983 who in remarking about children's  
2 television said, "When there is a decline in children's  
3 programming and over-the-air television, the reason is no  
4 mystery. Other programs may be more profitable or more  
5 popular. I don't believe the FCC should second guess those  
6 judgments."

7           It's taken this country about 10 years to repair the  
8 damage that was done by that policy. One of the byproducts of  
9 that policy, for example, is that we have not had a regularly  
10 scheduled weekday children's educational programming on  
11 commercial television for a decade. Tomorrow I'll be leaving  
12 to go to Australia. I consult internationally with other  
13 countries that are interested in children's programming. I  
14 often think that they want to know what the U.S. is doing so  
15 they know what to strike off their list of alternatives. We  
16 haven't done well at all. At this point it's clear that the  
17 Congress has tried to redirect the Commission in hearing  
18 children's television policy. The Commission's efforts could  
19 go, go in this realm -- go back 25 years. And the Commission  
20 has repeatedly asked the broadcast industry for more and  
21 better efforts. It has repeatedly tried to rely on industry  
22 initiatives and self-regulation as opposed to government  
23 regulation. The Congress has declared that that effort did  
24 not work. Congress has set policy in this realm. It's now up  
25 to the Commission to implement that policy in a way that we'll



1 realize the goals that Congress had intended.

2 I'd like to engage three problems and three proposed  
3 solutions that I thought can assist the Commission in that  
4 endeavor.

5 First, what are the problems? The educational value  
6 of the programming claimed as fulfilling the obligations under  
7 the Children's Television Act is suspect. That's already been  
8 discussed by the first panel. I won't go into great detail on  
9 that here since this panel is supposed to focus on the issues  
10 regarding amount. An adequate amount of children's  
11 educational programming is a major problem today.

12 Let me direct your attention to an FCC Children's  
13 Television Task Force staff report that was done in the 1970s.  
14 It found that in 1974 using, using educational experts,  
15 definitions of educational content, found in 1974 the  
16 commercial, average commercial station was airing 2.8 hours  
17 per week as educational content. The Commission called for  
18 more efforts on the part of the industry. The response 4  
19 years later, again, the Commission's data found only 2.6 hours  
20 per week of educational children's programming. Both of those  
21 data points are based on educational experts evaluation of  
22 content. I think that's found.

23 I just completed a study that's filed with the  
24 Commission in this proceeding that's based on license renewal  
25 claims of broadcasters. And we already know that, that

1 | there's a clear suggestion that the industry has inflated a  
2 | lot of their claims. But based on the industry's claims, they  
3 | -- in recent, in the last year they've been presenting 3-1/2  
4 | hours of educational programming for children. And that's not  
5 | judged by experts. That is content that they claim is  
6 | educational. That's not substantially different. It's  
7 | certainly not statistical significantly different than what  
8 | was being provided in the 1970s.

9 |           I remind you that in the 1970s the Commission  
10 | branded those efforts wholly inadequate. Now, I think the  
11 | solution -- I asked Commissioner Quello this morning, what is  
12 | a -- what's a way that we can increase the amount of  
13 | educational programming without doing processing guidelines  
14 | and he's already indicated he's not interested in doing that.  
15 | He says that we need to make this -- of the need in this area  
16 | and more clear to the broadcaster. I don't know how they're  
17 | going to do that without focusing the public's attention on  
18 | the -- on what the stations are doing and in heightening  
19 | public awareness and involvement in this process.

20 |           My key proposal that I think will increase both the  
21 | quality and quantity of educational programming that the  
22 | broadcast industry provides is to ask the broadcasters to  
23 | identify at the time a program is aired the programming that  
24 | it claims as fulfilling the Children's Television Act. The  
25 | public is supposed to play a role in this process. If you

1 make that information available to the public, then I think  
2 that that gives them an opportunity to make the public the  
3 arbiter of what's good enough or how much is enough rather  
4 than the Commission.

5 MS. ELLERBEE: Thank you. Our next panelist is Paul  
6 La Camera, Vice President and General Manager of WCVB-TV in  
7 Boston, Massachusetts, on behalf of National Association of  
8 Broadcasters.

9 MR. LA CAMERA: Thank you, Mr. Chairman,  
10 Commissioners. I am Paul La Camera, General Manager of WCVB-  
11 TV which is the agency affiliate in Boston owned by the Hearst  
12 Corporation, although my roots of 22 years with that station  
13 are in local programming, production and management.

14 I am pleased to be able to report to you today that  
15 both the spirit and letter of the Children's Television Act of  
16 1990 are achieving the intended goal. The Act and the FCC's  
17 rules in support of it have resulted in stations across this  
18 country, of every type and every market, presenting  
19 programming for children of merit and distinction. Local  
20 broadcasters and the marketplace have responded with not just  
21 a dramatic increase in the amount of educational and  
22 informational programming but also with a corresponding  
23 elevation in the quality of programming available to young  
24 viewers.

25 As but a modest case in point, I've submitted our

1 own station's record to perform a record of today's events.  
2 And I'd like to cite a similar record for the other major  
3 stations in Boston; however, I must emphasize that our city is  
4 not unique. WCVB, our sister Hearst Broadcasting stations,  
5 the other affiliates in Boston, are examples of stations  
6 across America that are producing and airing in accessible  
7 time periods quality, locally produced programs for children.

8           In preparing for today's appearance, I satisfied  
9 myself that I could make these statements with a degree of  
10 confidence and comfort by having our station research the  
11 national scene. What we found are numerous examples of  
12 innovative and meritorious children's programming, both in  
13 series form and specials, from stations in every section of  
14 the United States. As a further documentation and a former  
15 one, in 1993, 115 stations submitted a total of more than 300  
16 locally produced programs to the prestigious National  
17 Association of Broadcasters Service to Children Awards  
18 competition.

19           And what is available to stations from the  
20 syndicated marketplace is also growing and improving in  
21 quality. I fear someone suggests otherwise but local  
22 children's programming is alive and well in America.

23           Today we have ample and encouraging evidence that  
24 the availability and actual airing of educational programming  
25 for children is much improved. I just completed NAB study,

1 compared children's programming airing in the Fall of 1993 to  
2 what was available in 1990 before the implementation of the  
3 Act.

4           As this chart shows, a typical station in 1990 aired  
5 2 hours per week of what could be described as educational and  
6 informational programming versus 3-2/3 hours this past Fall,  
7 an increase of 80 percent in less than 4 years. There was a  
8 current sliding growth in the number of hours of educational  
9 specials for children. NAB study also documented the display  
10 of educational offerings for children was scheduled at times  
11 appropriate for children's viewing. Again, according to the  
12 chart, 97 percent of these regularly scheduled programs  
13 appears at 6 a.m. with the vast majority of 80.6 percent  
14 scheduled after 7 a.m.

15           I would like to comment briefly on the issue of  
16 scheduling, specifically early morning time slots. As the NAB  
17 study shows, the vast majority of educational programs are  
18 scheduled at 7 a.m. or later. Great numbers of children are  
19 up and watching television very early in the morning,  
20 particularly younger children and depending on a station's  
21 other programs and other programming constraints, a 6 a.m. or  
22 6:30 a.m. time slot may not be at all inappropriate.  
23 Scheduling, whether it be a time period or a day, is the  
24 result of complex programming decisions unique to each station  
25 and its market.

1           Broadcasters and the marketplace have responded to  
2 the Act and to the FCC's intention to hold their feet to the  
3 fire. Broadcasters know that their licenses are in the  
4 balance and that more specific and perhaps onerous  
5 governmental programming requirements will follow if they do  
6 not respond appropriately.

7           Your Notice of Inquiry, issued before this  
8 encouraging information became readily available, suggested  
9 that, while not preferred, specific regulatory requirements,  
10 such as quantification or processing guidelines, might be  
11 useful in achieving the Act's goal of expanding the  
12 availability of educational programming. Clearly, such steps  
13 are not necessary and would be premature at this point. The  
14 Act is working. The FCC's statement of purpose and resolve is  
15 working.

16           While specific regulatory requirements might be  
17 tempting as insurance against backsliding or as an incentive  
18 for those stations which might fail to meet the goals of the  
19 Act, such additional regulations are unnecessary, potentially  
20 counter-productive, violative of express Congressional  
21 intention, dangerously intrusive in a First Amendment  
22 sensitive area.

23           Mr. Chairman and Commissioners, I believe that the  
24 commercial broadcast industry where I have spent my career is  
25 populated largely by people of goodwill and high intentions

1 who have sincerely and successfully responded to the  
2 Children's Television Act. I believe, moreover, that much of  
3 that programming is of high quality and of great benefit to  
4 the children of this country.

5 MS. ELLERBEE: Thank you.

6 MR. LA CAMERA: In --

7 MS. ELLERBEE: Oh.

8 MR. LA CAMERA: -- in conclusion, I would ask you to  
9 allow us to continue to serve children, as we are doing,  
10 unconstrained by quotas or specific requirements that, in the  
11 long run, will run counter to the service we provide all our  
12 audiences, not the least of whom are the children we are  
13 committed and charged to serve.

14 Thank you.

15 MS. ELLERBEE: Our next panelist is Peggy Charren,  
16 Founder of Action for Children's Television.

17 MS. CHARREN: Thank you for inviting me to testify  
18 yet again on my favorite subject.

19 Part of the reason we're here today is because  
20 unlike the sense you could get from wonderful Paul Camera's --  
21 Paul La Camera's testimony and if all broadcasters were as  
22 nifty as Paul La Camera, we probably wouldn't need an FCC --  
23 living in blessing with him. I know that the problem is that  
24 the NAB and Paul La Camera sort of have nothing to do with  
25 each other most of the time, I would imagine. The, the, the

1 fact is that we're here because the broadcasters asked for  
2 this hearing. I mean they said, we don't know what, what is  
3 an educational show. I'd like to say if they don't know what  
4 an educational show is, they shouldn't be in show business.  
5 They should be in the shoe business. And it is really mind  
6 boggling that they think they can fulfill a requirement to  
7 serve the public if they can't answer that question  
8 themselves.

9           The law says specifically designed to serve the  
10 needs of children. I would have thought that was enough. And  
11 I do think that the debate -- that you shouldn't focus on how  
12 much of the program is educational and how much is  
13 entertainment. I agree with David Britts' analysis of, of  
14 that question. You'll never get anywhere that way.

15           I have in here a definition from the FCC Policy  
16 Statement in case the broadcasters need to know what education  
17 is. It was good then and it's still good.

18           The service to children's television idea book that  
19 Paul referred to is one reason why I think it's absolutely  
20 necessary for you to spell out how much television is  
21 necessary to meet the mandate of that law. In that, in that  
22 very interesting booklet which -- by the way, in, in their  
23 programming, a lot of it is single special. A single special  
24 is not a series. I mean it's nice but it's, it's not the kind  
25 of core programming that this bill is supposed to encourage.



1 It says many private practice broadcast lawyers have voiced  
2 their opinion that they will counsel their clients to air at  
3 least a weekly half hour of educational and informational  
4 programs for children to meet the mandate of this law. That  
5 should be enough. Just that single statement should be enough  
6 to let you know that you better make it very clear how much is  
7 enough.

8           There was one station that said the weekly half hour  
9 should be combined from 30 second public service  
10 announcements, just to give you a feeling of their commitment  
11 to children. If all of television were for children and we  
12 were doing an hour a day of information for adults, I bet it  
13 wouldn't take very long for this country to say that's not  
14 enough information for a portion of the public in a democratic  
15 society. And it looks like we care more about adults than  
16 children.

17           So, I'd like to propose two solutions to this long -  
18 - you see how fast I'm talking. Heaven forbid I should go  
19 longer than it says -- two solutions to this longstanding  
20 problem. First, a processing guideline that should include a  
21 lot of what we have heard already. I, I say 7 hours a week.  
22 They should be 30 minutes long. The idea that children's  
23 attention span is 30 seconds is done in by the success of  
24 Sesame Street, of X men of the Afterschool Specials. Of  
25 course, they can watch a whole program and that's a dumb